# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA AT STATESVILLE 5:12 CV 00202 RLV DSC

| APRIL SMITH                                 | )                        |
|---|--------------------------|
|   |                          |
|   | )                        |
| Disintiff                                   | )                        |
| Plaintiff,                                  | )<br>)                   |
| <b>v.</b>                                   | <i>)</i><br>)            |
|   | )<br>)                   |
| JASON MUNDAY, in his individual and         | )                        |
| Official capacities as an Employee of the   |                          |
| City of Lincolnton,                         |                          |
| <b>CHARLES MCGINLEY,</b> in his individual  |                          |
| and Official capacities as an Employee      |                          |
| of the City of Lincolnton,                  |                          |
| <b>BRIAN GREENE</b> , in his individual and | STIPULATION OF VOLUNTARY |
| Official capacities as an Employee of       | ) DISMISSAL              |
| the City of Lincolnton,                     |                          |
| MARK LESASSIER, in his individual           |                          |
| and Official capacities as an Employee      | )                        |
| of the City of Lincolnton,                  | )                        |
| <b>RODNEY JORDAN</b> , in his individual    | )                        |
| and Official capacities as an Employee      | )                        |
| of the City of Lincolnton,                  | )                        |
| CITY OF LINCOLNTON,                         | )                        |
| LINCOLNTON POLICE DEPARTMENT                | )                        |
| JOHN AND JANE DOE, and                      | )                        |
| RUFUS LYNCH, SR.                            | )                        |
|   | )                        |
|   | )                        |
|   | )                        |
| Defendants.                                 |                          |

Pursuant to F.R.C.P. 41 (a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Plaintiff and Defendant, after reaching a settlement, hereby stipulate and agreed to voluntarily dismiss, without prejudice against the defendants, the matters in the above-captioned matter.

#### This the1st day of May 2017.

## Respectfully submitted,

/s/ Algernon Williams, Sr. Algernon Williams, Sr., State Bar No., 27350 Attorney for Plaintiff 4801 East Independence Blvd., Suite 908 Charlotte, NC 28212 (704) 537-9111

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### CRANFILL, SUMNER & HARTZOG, LLP

### /s/ Patrick Flanagan

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